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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,089	08/26/2003	Jae-Chul Byun	11313-0007-999	4937
24341	7590	04/21/2005	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			GLESSNER, BRIAN E	
			ART UNIT	PAPER NUMBER
			3635	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,089

Applicant(s)

BYUN, JAE-CHUL

Examiner

Brian E. Glessner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The following office action is in response to the preliminary amendment filed on 3/4/2004. Claims 1-4 and 7-11 are pending in the application. Claims 1-4 and 7-11 are rejected as set forth below.

Claim Objections

Claim 8 is objected to because of the following informalities: the preamble of the claim claims a box-assembly. However, no structure of a box is claimed, i.e. sides, top, or bottom. The only element being claimed is the device. Therefore, since the only element being claimed is the device, the claim will be examined for the device until further clarification is provided. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 7, 8, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Heumann (1,987,826).

In regard to claims 1, 7, 8 and 11, Heumann discloses an assembly device comprising a first locking part a having two parallel faces forming a first opening capable of receiving an edges of a panel at a corner of a box to be constructed, a second locking part b that is integrated with an end of the first locking part into a single body, where the second locking part has two parallel faces forming a second opening that is

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capable of receiving an edge of another panel at the corner of the box, a locking projection c formed on an outer surface of at least one of the two faces of the first and second locking parts, and a locking hole having complementary dimensions to the locking projection. The member c of one of the locking projections is in the hole, wherein said first and second openings are oriented in the same direction, figure 3.

In regard to claim 2, Heumann discloses the claimed invention, wherein the first and second locking parts are integrated with each other at a substantially right angle into the single body.

In regard to claims 3 and 10, Heumann discloses the claimed invention, wherein the first and second locking parts are integrated with each other at substantially an obtuse angle into the single body, figure 11 at 6.

Claims 1, 2, 4, 7-9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sheu (4,515,280).

In regard to claims 1, 7, 8 and 11, Sheu discloses an assembly device comprising a first locking part 1 having two parallel faces forming a first opening capable of receiving an edges of a panel at a corner of a box to be constructed, a second locking part 1 that is integrated with an end of the first locking part into a single body, where the second locking part has two parallel faces forming a second opening that is capable of receiving an edge of another panel at the corner of the box, a locking projection 103 on an outer surface of at least one of the two faces (figure 1) of the first and second locking parts, and a locking hole 102 having complementary dimensions to the locking projection. The examiner would like to point out that although the projection

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was not formed on the surface of the locking part, this limitation, i.e. "formed on" is a process limitation. Therefore, the examiner only needs to meet the final product, see MPEP 2113. Thus, since the member 103 forms a projection on the locking part, the claimed limitation is met.

In regard to claim 2, Sheu discloses the claimed invention, wherein the first and second locking parts are integrated with each other at a substantially right angle into the single body.

In regard to claim 4, Sheu discloses the claimed invention, wherein each of the first and second locking parts are provided with a plurality compression ridges (see figures) to help secure said panels of to the first and second locking parts.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wu et al., Verch, Koutras et al., Chin, Jr., Pourmand, Silverman, Chan, Hor, White and Machler.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian E. Glessner whose telephone number is 703-305-0031. The examiner can normally be reached on Monday through Thursday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brian E. Glessner
Primary Examiner
Art Unit 3635

B.G.
April 16, 2005